



STATE OF ARIZONA

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GOVERNOR

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The Honorable John McCain
United States Senate
241 Russell Senate Office Building
Washington, D.C. 20510-0303

Dear Senator McCain:

As a member of the Defense authorization conference committee currently working on the National Defense Authorization Act (H.R. 5122), I urge that you oppose any language giving the President of the United States authority to usurp the power of Governors, and allow for federalization of states' National Guard personnel in the event of a disaster, whether it is a fire, flood, earthquake, tornado, hurricane or other catastrophic event.

Only weeks ago, 50 Governors and I wrote to Defense Secretary Donald Rumsfeld, urging that this provision be dropped. Not only was this written into the proposal without the input of Governors, it has come to my attention that this piece of the bill is still being discussed for inclusion by a Congressional conference committee.

As you are aware, I recently declared an emergency in Pima and Pinal Counties and just last week, amended that declaration to include Gila, Graham, Greenlee and Navajo counties because of monsoon flooding. Even with pre-positioning of equipment and planning for disasters, there is always a need for the Governor to retain control of the National Guard for possible deployment to affected areas within our respective states.

The usurpation of state authority over the National Guard is an issue that unifies all Governors of every state. Indeed last year, in the wake of the federal response to Katrina, I was asked to testify before Congress with Governor Perry of Texas and Governor Bush of Florida to voice our combined opposition to federal legislation that would change this state authority.

The states already have a strong working relationship with one another in times of emergency, without the involvement of the federal government. Congress should not interfere by allowing this federalization provision to remain in place.

Very truly yours,

A handwritten signature in cursive script that reads "Janet Napolitano".

Janet Napolitano
Governor